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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2009 MAY 29 AM 11:05 ✓

JEANNE HICKS, CLERK

Heather Figueroa

BY: _____

IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

CR 2008-1339

Division 6

STATE'S MOTION TO COMPEL
AMAZON.COM TO PRODUCE
DEFENDANT'S PURCHASE HISTORY
FOR *IN CAMERA* INSPECTION AND
ORDER.

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy, Joseph C. Butner, respectfully submits its Motion to Compel Amazon.com to produce Defendant's purchase history for an *in camera* inspection.

On August 20, 2008, Defendant ordered three books from Amazon.com. These were: *Cover Your Tracks Without Changing Your Identity – How to Disappear Until you WANT To be Found*, *Advanced Fugitive – Running, Hiding, Surviving, and Thriving Forever*, and *How to be Invisible – The Essential Guide to Protecting Your Personal Privacy, Your Assets, and Your Life*. Copies of these books were found in Defendant's storage locker during the execution of a search warrant. A second copy of *How to be Invisible* was discovered during the execution of a separate warrant at the apartment Defendant shared with his daughter, Katie DeMocker. During a preliminary search of Defendant's computer, Detective Steve Page found evidence that the user had searched terms such as "how to kill someone" and

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1 "tips from a hit man on how to kill someone." These facts give the State reasonable
2 suspicion to believe Defendant used multiple resources to research how best to commit the
3 murder of Carol Kennedy without getting caught and to disappear afterwards if necessary.

4 This Court has ordered the State to complete its disclosure by July 15, 2009. The
5 documents in question are critical to the advancement and completion of the State's on-going
6 investigation regarding Defendant's motive, opportunity, intent, preparation, plan and
7 knowledge. Amazon.com has stated it will not comply with the subpoena because it believes
8 the release of purchase history violates a customer's 1st Amendment guarantee. As an
9 alternative to releasing the documents directly to Yavapai County Attorney's Office, the
10 State requests that this Court order Amazon.com to provide the documents for an *in camera*
11 inspection to determine if any of Defendant's past purchases are relevant to the case at bar.
12

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14 RESPECTFULLY SUBMITTED this 28th May, 2009.

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16 Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

17
18 By: 

19 Joseph C. Butner
Deputy County Attorney

20
21 COPY of the foregoing mailed/delivered this
22 28th day of May, 2009 to:

23 Honorable Thomas J. Lindberg
24 Division 6
Yavapai County Superior Court

25 John Sears LARRY HAMMOND
Attorneys for Defendant ANNE CHAPMAN

26 By: Dee Connel